

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JEFFREY SIEGEL, Administrator of the)
Estate of MOUSTAPHA AKKAD,)
Deceased, et al.,)
Plaintiffs,) No. 07 C 6830
v.) Judge John W. Darrah
H GROUP HOLDING, INC., a corporation; et al.,) Magistrate Susan E. Cox
Defendants.)

DEFENDANTS' MOTION FOR LEAVE TO FILE SUR-REPLY UNDER SEAL

Defendants H Group Holding, Inc., Global Hyatt Corporation, Hyatt International Corporation, Hyatt Corporation, Hyatt Hotels Corporation, Hyatt International (Europe Middle East Africa) LLC, AIC Holding Co., and Hyatt International Holdings, Co. (collectively, "Defendants"), through their attorneys, hereby move this Court for leave to file Defendants' Sur-Reply in Opposition to Plaintiffs' Motion to Remand, attached hereto as Exhibit A, under seal. In support of this motion, Defendants state as follows:

1. On January 3, 2008, Plaintiffs filed their Motion to Remand this case back to state court. (Document #22.) Shortly thereafter, on January 14, 2008, Defendants filed their Motion to Dismiss and accompanying Memorandum of Law. (Documents #27 and #28.) Because the two motions covered some similar ground, and for the convenience of the Court and the parties, Defendants addressed within a single memorandum of law both their Motion to Dismiss and Plaintiffs' Motion to Remand filed just 11 calendar days earlier.

2. At the time Plaintiff's Motion to Remand and Defendants' Motion to Dismiss were filed, no protective order had been entered concerning the Management Agreement

between Hyatt EAME and defendant Amman Tourism Investment Co., Ltd. Because the Management Agreement is highly confidential, proprietary, and commercially sensitive, Hyatt EAME would only agree to provide it to Plaintiffs subject to a confidentiality agreement. Pursuant to that agreement, neither party was able to file the Management Agreement nor quote from it in their papers to be filed with the Court.

3. In connection with Plaintiffs' Reply in further support of their Motion for Remand, Plaintiffs indicated that they wished to quote from the Management Agreement rather extensively in their reply. Thus, the parties jointly moved for the entry of a protective order. (Document #34.) The Court entered the protective order with respect to the Management Agreement only and allowed Plaintiffs to file their reply under seal. (Documents #47 and #48.)

4. In their reply brief filed under seal, Plaintiffs relied heavily on the Management Agreement but misinterpreted it. Defendants now seek leave to file a sur-reply so as to rectify the inaccuracies in Plaintiffs' reply.

5. The protective order governing the Management Agreement was entered after the Defendants filed their opposition to Plaintiffs' motion for remand. Once the Protective Order was entered, Plaintiffs were granted leave to use it in their sealed reply brief. Defendants request this same opportunity – one they did not have when their opposition was filed - to respond to Plaintiffs' arguments using the Management Agreement and its provisions by filing a sur-reply under seal. A copy of Defendants' Sur-Reply is attached hereto as Exhibit A.

WHEREFORE, Defendants respectfully request that the Court enter an Order granting Defendants leave to file their Sur-Reply in Opposition to Plaintiffs' Motion to Remand, attached hereto as Exhibit A, under seal.

Dated: February 20, 2008

Respectfully submitted,

By: /s/ Lisa M. Fontoura

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CERTIFICATE OF SERVICE

I, Lisa M. Fontoura, an attorney, state that I have served a copy of the foregoing *Defendants Motion for Leave to File Defendants' Sur-Reply Under Seal* to all counsel of record via electronic case filing system (CM/ECF) as indicated below, from 225 West Wacker Drive, Chicago, Illinois, 60606, on this 20th day of February 2008:

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